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5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**  
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8 ANTHONY BRODZKI,

9 Plaintiff,

10 vs.

11 DOUG GILLESPIE and  
12 METROPOLITAN POLICE DEPARTMENT,

13 Defendants.  
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Case No. 2:10-cv-02051-KJD-GWF

**ORDER**

Motion for Subpoena (#8)

15 This matter is before the Court on Plaintiff's Motion to Subpoena Metro Records (#8),  
16 filed May 20, 2011.

17 On May 4, 2011, the undersigned magistrate judge conducted a screening of Plaintiff's  
18 complaint pursuant to 28 U.S.C. § 1915 and recommended to the District Judge that the  
19 complaint be dismissed. (#5). Therefore, discovery and the issuance of subpoenas is premature  
20 at this time. Accordingly,

21 **IT IS HEREBY ORDERED** that Plaintiff's Motion to Subpoena Metro Records (#8) is  
22 **denied.**

23 DATED this 9th day of June, 2011.

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26 **GEORGE FOLEY, JR.**  
27 **United States Magistrate Judge**  
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